

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

☐ Valuation of Security ☒ Assumption of Executory Contract or Unexpired Lease ☐ Lien Avoidance

Last revised: August 1, 2020

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:
Kevin J. and Erica L. Ambrose

Case No.: 21-16343
Judge: ABA

Debtor(s)

Chapter 13 Plan and Motions

☐ Original ☒ Modified/Notice Required Date: 01/05/2023
☐ Motions Included ☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☒ DOES ☐ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: /s/ SW Initial Debtor: /s/ KJA Initial Co-Debtor: /s/ ELA

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 335.00 per month to the Chapter 13 Trustee, starting on
February 1, 2023 for approximately 43 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☒ NONE

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 4,063.00
DOMESTIC SUPPORT OBLIGATION	Child Support	Notice Purposes Only
Internal Revenue Service	Taxes	Notice Only
State of New Jersey	Taxes	Notice Only

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ **NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☐ **NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
Chase Mortgage	324 Coventry Court Mantua, NJ 08051	\$146,000.00	\$126,577.44
PNC Bank	2019 Dodge Ram	\$38,531.00	\$38,531.00

f. Secured Claims Unaffected by the Plan ☐ **NONE**

The following secured claims are unaffected by the Plan:

293 Seagrass Loop Myrtle Beach, SC 29588 - Quickens Loans - Debtors to maintain payments outside of the Chapter 13 Plan.

g. Secured Claims to be Paid in Full Through the Plan: ☒ **NONE**

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims ☐ **NONE**

a. Not separately classified allowed non-priority unsecured claims shall be paid:

☐ Not less than \$ 0.00 to be distributed *pro rata*

☐ Not less than _____ percent

☒ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☐ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
Honda Financial	None	Vehicle Lease - 2020 Honda Civic	To be assumed	\$294.00

Part 7: Motions ☐ NONE

NOTE: All plans containing motions must be served on all affected lienholders, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal, and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☒ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Priority Claims
- 3) Secured Claims
- 4) Unsecured Claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 01/05/2023.

<p>Explain below why the plan is being modified: To remove PNC Bank under Part 4(d) and 7(c) and to address PNC Bank under Part 4(e) as surrendered.</p>	<p>Explain below how the plan is being modified: To remove PNC Bank under Part 4(d) and 7(c) and to address PNC Bank under Part 4(e) as surrendered.</p>
---	---

Are Schedules I and J being filed simultaneously with this Modified Plan? ☒ Yes ☐ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 01/05/2023

/s/ Kevin J. Ambrose
Debtor

Date: 01/05/2023

/s/ Erica L. Ambrose
Joint Debtor

Date: 01/05/2023

/s/ Seymour Wasserstrum
Attorney for Debtor(s)

In re:
Kevin Joseph Ambrose
Erica L Ambrose
Debtors

Case No. 21-16343-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin

Page 1 of 3

Date Rcvd: Jan 09, 2023

Form ID: pdf901

Total Noticed: 41

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 11, 2023:

Recip ID	Recipient Name and Address
db/jdb	Kevin Joseph Ambrose, Erica L Ambrose, 293 Seagrass Loop, Myrtle Beach, SC 29588-7793
cr	+ Country Creek Condominium Association, Inc., Cutolo Barros LLC, 46-50 Throckmorton Street, Freehold, NJ 07728, UNITED STATES 07728-1973
519280921	+ Carla Zappi Esq., Cutolo Barros LLC, 46-50 throckmorton Street, Freehold, NJ 07728-1973
519280925	+ Country Creek CA, c/o Associa Mid-Atlantic (Mamco), PO Box 833805, Richardson, TX 75083-3805
519280926	+ Country Creek Condominium Association, 14000 Horizon Way, Suite 200, Mt. Laurel, NJ 08054-4342
519299056	+ Country Creek Condominium Association, Inc., c/o Cutolo Barros LLC, 46-50 Throckmorton Street, Freehold, NJ 07728-1973
519280928	+ Cutolo Barros, Attorney at Law, 923 Haddonfield Road, Suite 300, Cherry Hill, NJ 08002-2752
519280929	+ Dept of Treasury-Division of Taxation, PO Box 245, Trenton, NJ 08695-0245
519280938	+ South Jersey Gas, Po Box 577, Hammonton, NJ 08037-0577
519310943	+ State of New Jersey, Division of Taxation, Bankruptcy, PO Box 245, Trenton, NJ 08695-0245
519565609	+ TOWNSHIP OF WEST DEPTFORD, 400 CROWN POINT RD, WEST DEPTFORD NJ 08086-2146
519280939	West Deptford Township, PO Box 89, Water And Sewer, Thorofare, NJ 08086-0089

TOTAL: 12

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: usanj.njbankr@usdoj.gov	Jan 09 2023 20:34:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpreion03.ne.ecf@usdoj.gov	Jan 09 2023 20:34:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
519280917	Email/Text: bankruptcy@pepcoholdings.com	Jan 09 2023 20:34:00	Atlantic City Electric, PO Box 4875, Trenton, NJ 08650
519280932	Email/Text: ebnbankruptcy@ahm.honda.com	Jan 09 2023 20:34:00	Honda Financial Services, P.O. Box 1844, Alpharetta, GA 30023-1844
519282799	Email/Text: ebnbankruptcy@ahm.honda.com	Jan 09 2023 20:34:00	American Honda Finance Corporation, National Bankruptcy Center, P.O. Box 168088, Irving, TX 75016-8088
519280916	+ Email/Text: ebnbankruptcy@ahm.honda.com	Jan 09 2023 20:34:00	American Honda Finance, P.O. Box49070, Charlotte, NC 28277-1007
519280918	+ Email/Text: BarclaysBankDelaware@tsico.com	Jan 09 2023 20:34:00	Barclays, P.O. Box 13337, Philadelphia, PA 19101-3337
519280924	Email/Text: Webcollex@ebn.phinsolutions.com	Jan 09 2023 20:34:00	CKSFinancial Responsible Debt Collection, PO Box 2856, Chesapeake, VA 23327-2856
519280919	Email/PDF: AIS.cocard.ebn@aisinfo.com	Jan 09 2023 20:35:54	Capital One, PO BOX 71083, Charlotte, NC 28272-1083
519287088	+ Email/PDF: ebn_ais@aisinfo.com	Jan 09 2023 20:35:39	Capital One Bank (USA), N.A., 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901

District/off: 0312-1

User: admin

Page 2 of 3

Date Rcvd: Jan 09, 2023

Form ID: pdf901

Total Noticed: 41

519280927	+ Email/PDF: creditonebknotifications@resurgent.com	Jan 09 2023 20:35:20	Credit One Bank, PO BOX 98873, Las Vegas, NV 89193-8873
519280931	Email/Text: bk@freedomfinancialnetwork.com	Jan 09 2023 20:34:00	Freedom Plus, PO Box 2340, Phoenix, AZ 85002
519280933	+ Email/Text: sbse.cio.bnc.mail@irs.gov	Jan 09 2023 20:34:00	Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
519280922	Email/PDF: ais.chase.ebn@aisinfo.com	Jan 09 2023 20:35:19	Chase, 700 Kansas Lane, Monroe, LA 71203
519280923	Email/PDF: ais.chase.ebn@aisinfo.com	Jan 09 2023 20:35:37	Chase, Po Box 17202, Wilmington, DE 19886
519302780	Email/PDF: ais.chase.ebn@aisinfo.com	Jan 09 2023 20:35:19	JPMorgan Chase Bank, National Association, Chase Records Center, Attn: Correspondence Mail, Mail Code LA4-5555, 700 Kansas Lane, Monroe, LA 71203
519302526	+ Email/Text: PBNCNotifications@perituservices.com	Jan 09 2023 20:34:00	Kohl's, Peritus Portfolio Services II, LLC, PO BOX 141509, IRVING, TX 75014-1509
519280934	+ Email/Text: PBNCNotifications@perituservices.com	Jan 09 2023 20:34:00	Kolhs, PO BOX 1456, Charlotte, NC 28201-1456
519319823	+ Email/Text: bankruptcydpt@mcmcg.com	Jan 09 2023 20:34:00	Midland Credit Management, Inc., PO Box 2037, Warren, MI 48090-2037
519280935	^ MEBN	Jan 09 2023 20:29:57	Office Of Attorney General, 25 Market St, P.O. Box 112, Richard J Hughes Justice Complex, Trenton, NJ 08625-0112
519280936	Email/Text: Bankruptcy.Notices@pnc.com	Jan 09 2023 20:34:00	PNC Bank, 2730 Liberty Ave, Pittsburgh, PA 15222
519330681	Email/Text: Bankruptcy.Notices@pnc.com	Jan 09 2023 20:34:00	PNC Bank, National Association, Bankruptcy Department, PO Box 94982, Cleveland, OH 44101
519317552	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 09 2023 20:35:40	PORTFOLIO RECOVERY ASSOCIATES, LLC, POB 41067, Norfolk, VA 23541
519675507	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 09 2023 20:35:39	Portfolio Recovery Associates, LLC, c/o BARCLAYS BANK DELAWARE, POB 41067, Norfolk, VA 23541
519328608	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 09 2023 20:35:39	Portfolio Recovery Associates, LLC, c/o Capital One Bank (usa), N.a., POB 41067, Norfolk VA 23541
519304480	Email/Text: bnc-quantum@quantum3group.com	Jan 09 2023 20:34:00	Quantum3 Group LLC as agent for, CKS Prime Investments LLC, PO Box 788, Kirkland, WA 98083-0788
519280937	+ Email/Text: bankruptcyteam@quickenloans.com	Jan 09 2023 20:34:00	Quicken Loans, 1050 Woodward Ave, Detroit, MI 48226-3573
519292994	+ Email/Text: bankruptcyteam@quickenloans.com	Jan 09 2023 20:34:00	Rocket Mortgage, LLC fka Quicken Loans, LLC, 635 Woodward Avenue, Detroit MI 48226-3408
519280940	+ Email/PDF: ais.wellsfargo.ebn@aisinfo.com	Jan 09 2023 20:35:38	WF CRD SVC, PO BOX 14517, Des Moines, IA 50306-3517
TOTAL: 29			

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
519280930		Freedom Financial Asset Manangement LLC
519280920	*+	Capital One, PO BOX 71083, Charlotte, NC 28272-1083

TOTAL: 1 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

District/off: 0312-1

User: admin

Page 3 of 3

Date Rcvd: Jan 09, 2023

Form ID: pdf901

Total Noticed: 41

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 11, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 6, 2023 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor Rocket Mortgage LLC f/k/a Quicken Loans, LLC dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Isabel C. Balboa	ecfmail@standingtrustee.com summarymail@standingtrustee.com
Joseph Andrew Kutschman, III	on behalf of Creditor Country Creek Condominium Association Inc. jkutschman@cutolobarros.com, ecourts@cutolobarros.com
R. A. Lebron	on behalf of Creditor JPMorgan Chase Bank National Association bankruptcy@fskslaw.com
Seymour Wasserstrum	on behalf of Debtor Kevin Joseph Ambrose mylawyer7@aol.com ecf@seymourlaw.net;r47769@notify.bestcase.com
Seymour Wasserstrum	on behalf of Joint Debtor Erica L Ambrose mylawyer7@aol.com ecf@seymourlaw.net;r47769@notify.bestcase.com
Tammy L. Terrell	on behalf of Creditor JPMorgan Chase Bank National Association bankruptcy@fskslaw.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8